

EXHIBIT 11

{For withdrawal from the Convention, see Law No. 2783-IX dated 01.12.2022 }

{The Convention is suspended in relations with the Russian Federation and the Republic of Belarus on the basis of Law No. 2783-IX dated 01.12.2022 }

Official translation

CONVENTION

on legal assistance and legal relations in civil, family and criminal matters

{The Convention was ratified with reservations by Law No. 240/94-VR dated November 10, 1994 }

{For changes, see Protocol dated 03.28.97}

{On the termination of the Convention, see Convention dated 07.10.2002}

{On the validity of the Convention for Ukraine, see Letter of the Ministry of Justice No. 26-53/7 dated January 21, 2006 }

{Regarding the suspension of the international agreement on December 27, 2022 , see Letter of the Ministry of Foreign Affairs No. 72/14-612-108558 dated 12/30/2022 }

{Regarding the termination of the international agreement on December 29, 2023 , see Letter of the Ministry of Foreign Affairs No. 72/14-612-2008 dated January 6, 2023 }

{ Scanned copy }

Member States of the Commonwealth of Independent States, parties to this Convention, hereinafter referred to as the Contracting Parties,

based on the desire to ensure that the citizens of the Contracting Parties and persons living in their territories are provided with the same legal protection in all Contracting Parties in relation to personal and property rights as for their own citizens,

attaching importance to the development of cooperation in the field of providing legal assistance by justice institutions in civil, family and criminal cases,

agreed on the following:

SECTION I. GENERAL PROVISIONS

Part I. Legal protection

Article 1

Provision of legal protection

1. Citizens of each of the Contracting Parties, as well as persons living in its territory, enjoy in the territories of all other Contracting Parties the same legal protection for their personal and property rights as the own citizens of this Contracting Party.
2. Citizens of each of the Contracting Parties, as well as other persons living in its territory, have the right to freely and unimpededly apply to the court, prosecutor's office and other institutions of the other Contracting Parties, whose competence includes civil, family and criminal cases (hereinafter - institutions of justice), may appear in them, file petitions, bring lawsuits and carry out other procedural actions on the same terms as citizens of this Contracting Party.
3. The provisions of this Convention also apply to legal entities created in accordance with the legislation of the Contracting Parties.

Article 2

Exemption from payment of duty and reimbursement of expenses

1. Citizens of each of the Contracting Parties and persons living on its territory are exempted from payment and reimbursement of court and notary fees and expenses, and also enjoy free legal assistance on the same terms as their own citizens.
2. The benefits provided for in paragraph 1 of this article apply to all procedural actions carried out in this case, including the execution of the decision.

Article 3

Submission of a document on family and property status

1. The benefits provided for in Article 2 are granted on the basis of a document on the marital and property status of the person who submits the request. This document is issued by the competent institution of the Contracting Party on the territory of which the applicant has a place of residence or residence.
2. If the applicant does not have a place of residence or residence in the territory of the Contracting Parties, it is sufficient to provide a document issued by the relevant diplomatic mission or consular institution of the Contracting Party of which he is a citizen.
3. The institution making a decision on a request for granting benefits may demand from the institution that issued the document additional data or necessary clarifications.

Part II. Legal aid

Article 4

Provision of legal assistance

1. The justice institutions of the Contracting Parties provide legal assistance in civil, family and criminal cases in accordance with the provisions of this Convention.
2. Institutions of justice provide legal assistance to other institutions in the cases specified in paragraph 1 of this article.

Article 5

Communication procedure

In the implementation of this Convention, the competent institutions of justice of the Contracting Parties communicate with each other through their central bodies, unless this Convention establishes another procedure for communication.

Article 6

Scope of legal aid

The Contracting Parties provide each other with legal assistance by performing procedural and other actions provided for by the legislation of the requested Contracting Party, in particular: drawing up and forwarding documents, conducting searches, seizing, forwarding and issuing material evidence, conducting expert examinations, questioning parties, accused persons, witnesses, experts, violation of criminal prosecution, search and extradition of persons who have committed crimes, recognition and execution of court decisions in civil cases, verdicts in part of a civil claim, executive orders, as well as by handing over documents.

Article 7

Content and form of a mandate to provide legal assistance

1. The order for the provision of legal assistance must state:
 - a) name of the requested institution;
 - b) name of the requesting institution;
 - c) the name of the case in which legal assistance is requested;
 - d) names and surnames of parties, witnesses, suspects, defendants, convicts or victims, their place of residence and place of stay, citizenship, occupation, and in criminal cases also place and date of birth and, if possible, surnames and names of parents; for legal entities - their name and location;
 - e) in the presence of representatives of the persons specified in subparagraph "d", their names, surnames and addresses;
 - f) the content of the order, as well as other information necessary for its execution;
 - g) in criminal cases, also the description and qualification of the committed act and data on the amount of damage, if it was caused as a result of the act.
2. The order for delivery of the document must also specify the exact address of the recipient and the name of the document to be delivered.
3. The assignment must be signed and stamped with the seal of the requesting institution.

Article 8

Execution procedure

1. When executing a mandate to provide legal assistance, the requested institution applies the legislation of its country. At the request of the requesting institution, it may also apply the procedural norms of the requesting Contracting Party, as long as they do not contradict the legislation of the requested Contracting Party.
2. If the requested institution is not competent to execute the mandate, it forwards it to the competent institution and informs the requesting institution about it.
3. At the request of the requesting institution, the requested institution promptly informs it and the interested parties about the time and place of execution of the mandate so that they can be present at the execution of the mandate in accordance with the legislation of the requested Contracting Party.
4. If the exact address of the person specified in the mandate is unknown, the requested institution shall take the necessary measures to establish the address in accordance with the legislation of the Contracting Party in whose territory it is located.
5. After completing the assignment, the requested institution returns the documents to the requesting institution; in the event that legal assistance could not be provided, it simultaneously informs about the circumstances preventing the execution of the assignment and returns the documents to the requesting institution.

Article 9

Summons of witnesses, victims, civil plaintiffs, civil defendants, their representatives, experts

1. A witness, a victim, a civil plaintiff, a civil defendant and their representatives, as well as an expert who, upon a summons issued by an institution of the requested Contracting Party, will appear before the institution of justice of the requesting Contracting Party, may not, regardless of their citizenship, be brought to its territory to criminal or administrative liability, taken into custody and punished for an act committed before crossing its state border. Such persons may also not be prosecuted, detained or punished in connection with their testimony as witnesses or opinions as experts in connection with the criminal case under consideration.
2. The persons specified in paragraph 1 of this article lose the guarantee provided for in this paragraph if they do not leave the territory of the requesting Contracting Party, even if they have the opportunity to do so, before the end of 15 days from the day when the judicial institution conducting

the interrogation notifies to them that in the future there is no need for their presence. This term does not include the time during which these persons, through no fault of their own, could not leave the territory of the requesting Contracting Party.

3. The witness, expert, as well as the victim and his legal representative shall be reimbursed by the requesting Contracting Party for expenses related to travel and stay in the requesting state, as well as unpaid wages for days of distraction from work; the expert is also entitled to a fee for conducting the examination. The subpoena must specify which payments the subpoenaed persons are entitled to receive; at their request, the justice institution of the requesting Contracting Party pays an advance to cover the relevant costs.

4. The summons of a witness or an expert residing in the territory of one Contracting Party to the justice institution of the other Contracting Party should not contain threats of coercive measures in case of non-appearance.

Article 10

Instructions on delivery of documents

1. The requested institution of justice serves the documents in accordance with the procedure in force in its state, if the documents to be served are written in its language or Russian or provided with a certified translation in these languages. Otherwise, she transfers the documents to the recipient, if he agrees to accept them voluntarily.

2. If the documents cannot be delivered to the address specified in the mandate, the requested justice institution shall, on its own initiative, take the necessary measures to establish the address. If it turns out to be impossible to establish the address by the requested institution of justice, it informs the requesting institution about this and returns the documents to be served to it.

Article 11

Confirmation of delivery of documents

Delivery of documents is evidenced by a confirmation signed by the person to whom the document was delivered and affixed with the official seal of the requested institution, indicating the date of delivery and the signature of the employee of the institution who delivers the document, or by another document issued by this institution, which must indicate the method, place and time of delivery .

Article 12

Powers of diplomatic missions and consular institutions

1. The Contracting Parties have the right to deliver documents to their own citizens through their diplomatic missions or consular institutions.

2. The Contracting Parties have the right to interrogate their own citizens through their diplomatic missions or consular institutions on behalf of their competent authorities.

3. In the cases specified in clauses 1 and 2 of this article, it is not possible to use means of coercion or threats thereof.

Article 13

Validity of documents

1. Documents produced or certified in the territory of one of the Contracting Parties by an institution or a person specially authorized for that purpose within the limits of their competence and according to the established form and sealed with a seal are accepted in the territories of other Contracting Parties without any special certification.

2. Documents considered as official documents in the territory of one of the Contracting Parties shall have the evidential force of official documents in the territories of other Contracting Parties.

Article 14

Forwarding documents on civil status and other documents

The Contracting Parties undertake to forward to each other, upon request, without translation and free of charge, certificates of registration of civil status acts, documents on education, work experience and other documents relating to personal or property rights and interests of citizens of the requested Contracting Party and other persons living in its territory.

Article 15

Information on legal issues

The central institutions of justice of the Contracting Parties, upon request, provide each other with information on the current or what was in force in their territories, internal legislation and the practice of its application by the institutions of justice.

Article 16

Setting of addresses and other data

1. Upon request, the Contracting Parties shall provide assistance to each other in accordance with their legislation in establishing the addresses of persons living in their territories, if this is necessary for the exercise of the rights of their citizens. At the same time, the requesting Contracting Party provides the data available to it to determine the address of the person specified in the request.

2. The justice institutions of the Contracting Parties shall provide each other with assistance in establishing the place of work and income of persons who live in the territory of the requested Contracting Party and to whom property claims have been made in the justice institutions of the requesting Contracting Party in civil, family and criminal cases.

Article 17

Language

In relations with each other in the implementation of this Convention, the justice institutions of the Contracting Parties shall use the state languages of the Contracting Parties or the Russian language.

Article 18
Expenses related to the provision of legal assistance

The requested Contracting Party will not claim reimbursement of legal aid costs. The Contracting Parties themselves shall bear all costs incurred in the provision of legal assistance in their territories.

Article 19
Refusal to provide legal aid

A request for legal assistance may be refused if the provision of such assistance would harm the sovereignty or security of, or be contrary to the law of, the requested Contracting Party.

CHAPTER II. LEGAL RELATIONS IN CIVIL AND FAMILY MATTERS

Part I. Competence

Article 20
General Provisions

1. Unless otherwise specified in parts II-V of this section, lawsuits against persons who have a place of residence in the territory of one of the Contracting Parties are filed, regardless of their citizenship, in the courts of this Contracting Party, and lawsuits against legal entities are filed in the courts of the Contracting Party on the territory of which the management body of the legal entity, its representative office or branch is located.

If the case involves several defendants with residences (locations) in the territories of different Contracting Parties, the dispute is considered at the residence (location) of any defendant at the plaintiff's choice.

2. Courts of the Contracting Party are also competent in cases where on its territory:

- a) trade, industrial or other economic activity of the defendant's enterprise (branch) is carried out;
- b) the obligation from the contract, which is the subject of the dispute, has been fulfilled or should be fully or partially fulfilled;
- c) has a permanent place of residence or location of the plaintiff in a lawsuit for the protection of honor, dignity and business reputation.

3. Courts at the location of the property are exclusively competent for lawsuits regarding ownership and other real property rights.

Claims against carriers arising from contracts for the carriage of goods, passengers and baggage are filed at the location of the transport organization's office, to which the claim was submitted in the prescribed manner.

Article 21
Contractual jurisdiction

1. Courts of the Contracting Parties may consider cases in other cases as well, if there is a written agreement of the parties to transfer the dispute to these courts.

At the same time, the exclusive competence arising from paragraph 3 of Article 20 and other norms established by parts II-V of this section, as well as from the internal legislation of the relevant Contracting Party, cannot be changed by agreement of the parties.

2. If there is an agreement on the transfer of the dispute, the court shall terminate the proceedings at the request of the defendant.

Article 22
Interconnection of legal proceedings

1. In the case of initiation of proceedings in a case between the same parties, on the same subject and on the same grounds, in the courts of two Contracting Parties, competent in accordance with this Convention, the court that instituted the case later shall terminate the proceedings.

2. A counterclaim and a claim for set-off arising from the same legal relationship as the main claim shall be considered in the court hearing the main claim.

Part II. Personal status

Article 23
Legal capacity and legal capacity

1. The legal capacity of a natural person is determined by the legislation of the Contracting Party of which this person is a citizen.

2. The legal capacity of a stateless person is determined by the law of the country in which he has a permanent place of residence.

3. The legal capacity of a legal entity is determined by the legislation of the state under whose laws it was founded.

Article 24
Confession is limited to legal capacity or legal capacity.
Restoration of legal capacity

1. The court of the Contracting Party of which this person is a citizen is competent in cases of recognition of a person with limited legal capacity or incapacity, with the exception of the cases provided for in clauses 2 and 3 of this article.

2. In the event that the court of one Contracting Party becomes aware of the grounds for recognition of limited capacity or incapacity of a person living in its territory and who is a citizen of another Contracting Party, it shall notify the court of the Contracting Party of which this person is a citizen.

3. If the court of the Contracting Party, which was notified of the grounds for recognition of limited legal capacity or incapacity, does not initiate a case within three months or does not notify its opinion, the case of recognition of limited legal capacity or incapacity will be considered by the court of the Contracting Party in whose territory this citizen is has a place of residence. The decision to recognize a person as limited or incapable is sent to the competent court of the Contracting Party of which the person is a citizen.

4. The provisions of clauses 1-3 of this article are applied accordingly and to the renewal of legal capacity.

Article 25

Recognition as missing and declaration of death. Establishing the fact of death

1. In cases of declaring a person missing or declaring him dead and in cases of establishing the fact of death, the competent institutions of justice of the Contracting Party of which the person was a citizen at the time when he was alive according to the last data, and in the case of other persons - the institutions of justice according to the last the person's place of residence.

2. The judicial institutions of each of the Contracting Parties may recognize a citizen of the other Contracting Party and another person who lived in its territory as missing or dead, as well as establish the fact of his death at the request of interested persons living in its territory, whose rights and interests based on the legislation of this Contracting Party.

3. When considering cases of recognition as missing or declaration of death and cases of establishing the fact of death, the justice institutions of the Contracting Parties shall apply the legislation of their state.

Part III. Family affairs

Article 26

Marriage

The terms of marriage are determined for each of the future spouses by the legislation of the Contracting Party of which he is a citizen, and for stateless persons - by the legislation of the Contracting Party that is their permanent place of residence. In addition, with regard to obstacles to marriage, the requirements of the legislation of the Contracting Party on the territory of which the marriage is being concluded must be observed.

Article 27

Legal relations of spouses

1. The personal and property legal relations of the spouses are determined by the legislation of the Contracting Party on the territory of which they have a common place of residence.

2. If one of the spouses lives in the territory of one Contracting Party, and the other - in the territory of another Contracting Party, and at the same time both spouses have the same citizenship, their personal and property legal relations are determined by the legislation of the Contracting Party of which they are citizens.

3. If one of the spouses is a citizen of one Contracting Party, and the other - of another Contracting Party, and one of them lives in the territory of one, and the other - in the territory of the other Contracting Party, then their personal and property legal relations are determined according to the legislation of the Contracting Party, in the territory which they had their last common place of residence.

4. If the persons specified in paragraph 3 of this article did not have a joint residence in the territories of the Contracting Parties, the legislation of the Contracting Party whose institution considers the case shall be applied.

5. The legal relations of spouses concerning their real estate are determined by the legislation of the Contracting Party on whose territory this property is located.

6. Institutions of the Contracting Party, the legislation of which is subject to application in accordance with paragraphs 1-3, 5 of this article, are competent in matters concerning the personal and property legal relations of spouses.

Article 28

Divorce

1. In divorce cases, the legislation of the Contracting Party of which the spouses are citizens at the time of the application is applied.

2. If one of the spouses is a citizen of one Contracting Party, and the other is a citizen of another Contracting Party, the legislation of the Contracting Party whose institution considers the divorce case shall apply.

Article 29

Competence of institutions of the Contracting Parties

1. Institutions of the Contracting Party of which the spouses are citizens at the time of filing the application are competent in divorce cases in the case provided for in paragraph 1 of Article 28. If at the time of submitting the application both spouses live in the territory of another Contracting Party, then the institutions of this Contracting Party are also competent.

2. Institutions of the Contracting Party, on the territory of which both spouses live, are competent in divorce cases in the case provided for in paragraph 2 of Article 28. If one of the spouses lives in the territory of one Contracting Party, and the other - in the territory of the other Contracting Party, the institutions of both Contracting Parties, in whose territories the spouses live, are competent in divorce cases.

Article 30

Recognition of marriage as invalid

1. The legislation of the Contracting Party, which in accordance with Article 26 was applied at the conclusion of the marriage, shall be applied in cases of annulment of marriage .

2. The competence of institutions in cases of annulment of marriage is determined in accordance with Article 27 .

Article 31 **Establishing and disputing paternity or maternity**

Establishing and disputing paternity or maternity is determined by the legislation of the Contracting Party of which the child is a citizen by birth.

Article 32 **Legal relations of parents and children**

1. The legal relationship between parents and children is determined by the legislation of the Contracting Party on whose territory the children permanently reside.

2. In cases of alimony recovery from adult children, the legislation of the Contracting Party in whose territory the person claiming to receive alimony has his place of residence shall be applied.

3. In matters of legal relations between parents and children, the competent court of the Contracting Party whose legislation is to be applied in accordance with paragraphs 1 and 2 of this article.

Article 33 **Custody and care**

1. The establishment or termination of guardianship and guardianship is carried out in accordance with the legislation of the Contracting Party whose citizen is the person in respect of whom guardianship or guardianship is established or terminated.

2. The legal relationship between the guardian or custodian and the person under guardianship or guardianship shall be regulated by the legislation of the Contracting Party whose institution appointed the guardian or custodian.

3. The obligation to accept guardianship or guardianship is established by the legislation of the Contracting Party whose citizen is the person who is appointed guardian or trustee.

4. A citizen of another Contracting Party may be appointed guardian or custodian of a person who is a citizen of one Contracting Party, if he lives in the territory of the Party where guardianship or guardianship will be carried out.

Article 34 **Competence of institutions of the Contracting Parties in matters of custody and care**

Institutions of the Contracting Party whose citizen is the person in respect of whom guardianship or guardianship is established or terminated are competent in matters concerning the establishment or termination of guardianship and guardianship, unless otherwise established by this Convention.

Article 35 **Procedure for taking care and guardianship measures**

1. If it is necessary to take measures for guardianship or care in the interests of a citizen of one Contracting Party whose permanent residence, place of residence or property is located in the territory of another Contracting Party, the institution of this Contracting Party shall immediately notify the institution competent in accordance with Article 34 .

2. In cases that do not allow delays, the institution of the other Contracting Party may itself take the necessary temporary measures in accordance with its legislation. At the same time, it is obliged to immediately notify the institution competent in accordance with Article 34 . These measures remain in force until the institution referred to in Article 34 makes another decision.

Article 36 **Procedure for transfer of guardianship or guardianship**

1. An institution competent in accordance with Article 34 may transfer custody or custody to an institution of another Contracting Party in the event that the person under custody or custody has a place of residence, residence or property in the territory of this Contracting Party. The transfer of guardianship or guardianship takes effect from the moment when the requested institution assumes guardianship or guardianship and notifies the requesting institution thereof.

2. The institution that, in accordance with paragraph 1 of this article, accepted guardianship or guardianship, carries it out in accordance with the legislation of its state.

Article 37 **Adoption**

1. Adoption or its cancellation is determined according to the legislation of the Contracting Party of which the adopter is a citizen at the time of submitting an application for adoption or its cancellation.

2. If the child is a citizen of another Contracting Party, upon adoption or its cancellation, it is necessary to obtain the consent of the legal representative and the competent state body, as well as the consent of the child, if it is required by the legislation of the Contracting Party of which he is a citizen.

3. If a child is adopted by a couple, one of whom is a citizen of one Contracting Party, and the other is a citizen of another Contracting Party, the adoption or its cancellation must be carried out in accordance with the conditions provided for by the legislation of both Contracting Parties.

4. In cases of adoption or its cancellation, the competent institution is the institution of the Contracting Party whose citizen is the adopter at the time of submitting the application for adoption or its cancellation, and in the case provided for in paragraph 3 of this article, the competent institution is the institution of the Contracting Party in whose territory the spouses have or had the last common residence or place of stay.

Part IV. Property legal relations

Article 38 Ownership

1. Ownership of immovable property is determined by the legislation of the Contracting Party on whose territory the immovable property is located. The question of which property is immovable is decided in accordance with the legislation of the country on the territory of which this property is located.

2. The right of ownership of vehicles to be entered in the state registers is determined by the legislation of the Contracting Party on the territory of which the body that registered the vehicle is located.

3. The emergence and termination of the right of ownership or other real right to property is determined by the legislation of the Contracting Party, on the territory of which the property was located at the time when an action or other circumstance took place that became the basis for the emergence or termination of such a right.

4. The emergence and termination of the right of ownership or other real right to the property, which is the subject of the transaction, is determined by the legislation of the place where the transaction was committed, unless otherwise provided by the agreement of the Parties.

Article 39 Form of deed

1. The form of the transaction is determined by the legislation of the place of its execution.

2. The form of the deed regarding immovable property and the rights to it is determined by the legislation of the Contracting Party on the territory of which such property is located.

Article 40 Power of attorney

The form and validity period of the power of attorney are determined by the legislation of the Contracting Party on the territory of which the power of attorney was issued.

Article 41 Rights and obligations of the parties to the transaction

The rights and obligations of the parties to the transaction are determined by the legislation of the place of its execution, unless otherwise stipulated by the agreement of the parties.

Article 42 Compensation for damage

1. Obligations for compensation for damage, except for those arising from contracts and other lawful actions, are determined according to the legislation of the Contracting Party, on the territory of which the action or other circumstance took place, which became the basis for the claim for compensation for damage.

2. If the person who caused the damage and the victim are citizens of the same Contracting Party, the legislation of this Contracting Party shall be applied.

3. In the cases mentioned in clauses 1 and 2 of this article, the competent court is the court of the Contracting Party, on the territory of which the action or other circumstance took place, which became the basis for the demand for compensation for damage. The victim may file a claim also in the court of the Contracting Party on the territory of which the defendant has a place of residence.

Article 43 Statute of limitations

Issues of limitation of action are decided according to the legislation applied to regulate the relevant legal relationship.

Part V. Inheritance

Article 44 Principle of equality

Citizens of each of the Contracting Parties may inherit property or rights in the territories of other Contracting Parties by law or by will on equal terms and to the same extent as citizens of this Contracting Party.

Article 45 The right of inheritance

1. The right to inherit property, except for the case provided for in clause 2 of this article, is determined by the legislation of the Contracting Party on the territory of which the heir had his last permanent place of residence.

2. The right to inherit immovable property is determined by the legislation of the Contracting Party on the territory of which this property is located.

Article 46 Transfer of inheritance to the state

If, according to the legislation of the Contracting Party applicable to the inheritance, the heir is the state, then the movable inheritance passes to the Contracting Party of which the testator is a citizen at the time of death, and the immovable inheritance passes to the Contracting Party in whose territory it is located.

Article 47 Testament

A person's ability to make and revoke a will, as well as the form of a will and its revocation, are determined by the law of the country where the testator had his place of residence at the time of making the act. However, a will or its revocation cannot be invalidated due to non-compliance with the form, if the latter meets the requirements of the law of the place where it was drawn up.

Article 48

Competence in matters of inheritance

1. Institutions of the Contracting Party, on whose territory the testator had his place of residence at the time of his death, are competent to conduct proceedings in cases of inheritance of movable property.

2. Institutions of the Contracting Party, on whose territory the property is located, are competent to conduct proceedings in cases of inheritance of immovable property.

3. The provisions of clauses 1 and 2 of this article are also applied when considering disputes arising in connection with proceedings in inheritance cases.

Article 49

Competence of a diplomatic mission or consular institution in matters of inheritance

In inheritance cases, including inheritance disputes, diplomatic missions or consular institutions of each of the Contracting Parties are competent to represent (with the exception of the right to refuse inheritance) without a special power of attorney in the institutions of other Contracting Parties citizens of their state, if they are absent or have not appointed representative

Article 50

Measures for heritage protection

1. Institutions of the Contracting Parties shall, in accordance with their legislation, take measures necessary to ensure the protection of heritage left on their territories by citizens of other Contracting Parties, or to manage it.

2. The measures taken in accordance with paragraph 1 of this article shall be immediately notified to the diplomatic mission or consular institution of the Contracting Party of which the testator is a citizen. The specified representative office or institution may participate in the implementation of these measures.

3. At the request of a judicial institution competent to conduct proceedings on inheritance, as well as a diplomatic mission or consular institution, the measures taken in accordance with paragraph 1 of this article may be changed, canceled or postponed.

CHAPTER III. RECOGNITION AND EXECUTION OF DECISIONS

Article 51

Recognition and execution of decisions

Each of the Contracting Parties, under the conditions stipulated by this Convention, recognizes and implements the following decisions adopted on the territory of other Contracting Parties:

- a) decisions of justice institutions in civil and family cases, including court-approved settlement agreements in such cases and notarial acts regarding monetary obligations (hereinafter - decisions);
- b) decisions of courts in criminal cases on compensation for damages.

Article 52

Recognition of decisions that do not require execution

1. Decisions adopted by the justice institutions of each of the Contracting Parties and those that have gained legal force, which by their nature do not require execution, are recognized in the territories of other Contracting Parties without special proceedings, provided that:

- a) the justice institutions of the requested Contracting Party have not previously passed a decision in this case that has entered into legal force;
- b) the case in accordance with this Convention, and in cases not provided for by it, in accordance with the legislation of the Contracting Party on the territory of which the decision must be recognized, does not belong to the exclusive competence of the justice institutions of this Contracting Party.

2. The provisions of paragraph 1 of this article also apply to decisions on guardianship and custody, as well as decisions on divorce, adopted by institutions competent under the legislation of the Contracting Party on the territory of which the decision was adopted.

Article 53

Petition for permission to enforce a decision

1. A petition for permission to enforce a decision is submitted to the competent court of the Contracting Party where the decision is to be enforced. It can also be submitted to the court that made the decision in the case in the first instance. This court sends the petition to the court competent to decide on the petition.

2. The petition is accompanied by:

- a) the decision or its certified copy, as well as an official document stating that the decision has entered into legal force and is subject to execution, or that it is subject to execution before entering into legal force, if this does not follow from the decision itself;
- b) a document from which it follows that the party against whom the decision was made, who did not participate in the process, was properly and timely summoned to court, and in the case of his procedural incapacity was properly represented;
- c) a document confirming the partial implementation of the decision at the time of its forwarding;
- d) a document confirming the agreement of the parties in matters of contractual jurisdiction.

3. The request for permission to enforce the decision and the documents attached to it shall be provided with a certified translation in the language of the requested Contracting Party or in Russian.

Article 54

Procedure for recognition and enforcement of decisions

1. Requests for recognition and authorization of enforcement of decisions provided for in Article 51 shall be considered by the courts of the Contracting Party on the territory of which enforcement must be carried out.

2. The court considering the request for recognition and permission to enforce the decision is limited to establishing that the conditions stipulated by this Convention are met. If the conditions are met, the court issues a decision on enforcement.

3. The procedure for enforcement is determined by the legislation of the Contracting Party on whose territory enforcement must be carried out.

Article 55

Refusal to recognize and execute decisions

The recognition of decisions provided for in Article 52 and the issuance of permission for enforcement may be refused in cases where:

a) in accordance with the legislation of the Contracting Party on the territory of which the decision was made, it has not entered into legal force or is not subject to execution, except for cases where the decision is subject to execution before entering into legal force;

b) the defendant did not take part in the process due to the fact that he or his authorized representative was not served with a summons to the court in a timely manner;

c) in a case between the same parties, on the same subject and on the same basis, in the territory of the Contracting Party where the decision must be recognized and enforced, a decision has already been made that has gained legal force, or there is a recognized decision of a court of a third country or if the institution of this Contracting Party previously initiated proceedings in this case;

d) in accordance with the provisions of this Convention, and in cases not provided for by it, in accordance with the legislation of the Contracting Party, on the territory of which the decision must be recognized and executed, the matter belongs to the exclusive competence of its institution;

e) there is no document confirming the agreement of the parties in the matter of contractual jurisdiction;

e) the statute of limitations for enforcement, provided for by the legislation of the Contracting Party whose court executes the mandate, has expired.

CHAPTER IV. LEGAL ASSISTANCE IN CRIMINAL CASES

Part I. Issuance

Article 56

Obligation to issue

1. The Contracting Parties undertake, in accordance with the conditions stipulated by this Convention, to extradite to each other persons who are on their territory for criminal prosecution or for the execution of a sentence.

2. Extradition for criminal prosecution is carried out for such acts, which are punishable under the laws of the requesting and requested Contracting Parties and for the commission of which punishment in the form of imprisonment for a term of at least one year or a more severe punishment is provided.

3. Extradition for the execution of the sentence is carried out for such actions, which, according to the legislation of the requesting and requested Contracting Parties, are punishable and for the commission of which the person whose extradition is requested was sentenced to imprisonment for a term of at least six months or to a more severe punishment .

Article 57

Refusal of extradition

1. Issuance is not carried out if:

a) the person whose extradition is requested is a citizen of the requested Contracting Party;

b) at the time of receipt of the claim, criminal prosecution cannot be initiated in accordance with the legislation of the requested Contracting Party or the sentence cannot be enforced due to the expiration of the statute of limitations or for other legal reasons;

c) in relation to the person whose extradition is requested, a sentence or a decision to terminate proceedings in the case was passed for the same crime in the territory of the requested Contracting Party, which have entered into force;

d) the crime, in accordance with the legislation of the requesting or requested Contracting Party, is prosecuted by private prosecution (at the request of the victim).

2. Extradition may be refused if the crime for which extradition is requested was committed on the territory of the requested Contracting Party.

3. In case of refusal of extradition, the requesting Contracting Party must be informed of the reasons for the refusal.

Article 58

Demand for extradition

1. The request for issuance must contain:

a) name of the requested institution;

b) a description of the actual circumstances of the act and the text of the law of the requesting Contracting Party, on the basis of which this act is recognized as a crime;

c) surname, first name, patronymic of the person to be extradited, his citizenship, place of residence or stay, if possible, a description of his appearance and other information about his person;

d) indication of the amount of damage caused by the crime.

2. A certified copy of the decision on detention must be attached to the request for extradition for criminal prosecution.

3. A certified copy of the sentence with a note that it has entered into legal force and the text of the provision of the criminal law, on the basis of which the person was convicted, must be attached to the request for issuance to enforce the sentence. If the convicted person has already served part of the sentence, data on this is also reported.

4. The request for issuance and the documents attached to it are drawn up in accordance with the provisions of Article 17 .

Article 59 **Additional information**

1. If the request for issuance does not contain all the necessary data, the requested Contracting Party may request additional information, for which it sets a deadline of up to one month. This term can be extended by up to one month at the request of the requesting Contracting Party.

2. If the requesting Contracting Party does not provide additional information within the prescribed period, the requested Contracting Party must release the person taken into custody.

Article 60 **Detention for extradition**

Upon receipt of the request, the requested Contracting Party shall immediately take measures to take into custody the person whose extradition is requested, except in cases where extradition cannot be effected.

Article 61 **Arrest or detention pending the receipt of a request for extradition**

1. The person whose extradition is requested may be taken into custody upon request even before the request for extradition is received. The request must include a reference to the detention order or a judgment that has entered into legal force, and indicate that the request for extradition will be submitted additionally. A request for detention pending the receipt of a demand for extradition may be sent by post, telegraph, telex or fax.

2. A person may be detained even without the request provided for in paragraph 1 of this article, if there are grounds provided for by the law to suspect that he has committed an extraditable crime on the territory of another Contracting Party.

3. The other Contracting Party must be immediately notified of the detention or detention pending the request for extradition.

Article 62 **Release of a person detained or taken into custody**

1. A person taken into custody in accordance with Clause 1 of Article 61 shall be released if a demand for his extradition is not received within one month from the date of taking into custody.

2. A person detained in accordance with Clause 2 of Article 61 must be released if the demand for his extradition has not been received within the time period provided by law for detention.

Article 63 **Postponement of extradition**

If the person whose extradition is requested is criminally prosecuted or convicted of another crime in the territory of the requested Contracting Party, his extradition may be delayed until the termination of the criminal prosecution, execution of the sentence, or release from punishment.

Article 64 **Temporary extradition**

1. If the postponement of extradition provided for in Article 63 may result in the expiration of the statute of limitations for criminal prosecution or harm the investigation of the crime, the person whose extradition is requested by petition may be temporarily extradited.

2. The temporarily extradited person must be returned after the completion of the action in the criminal case for which he was extradited, but not later than three months after the date of the transfer of the person. In justified cases, the deadline can be extended.

Article 65 **Conflict of extradition requirements**

If requests for extradition come from several states, the requested Contracting Party independently decides which of these requests should be satisfied.

Article 66 **Limits of criminal prosecution of an extradited person**

1. Without the consent of the requested Contracting Party, the extradited person cannot be held criminally liable or punished for a crime committed before his extradition, for which he was not extradited.

2. Without the consent of the requested Contracting Party, a person cannot be extradited to a third country as well.

3. The consent of the requested Contracting Party is not required if the extradited person does not leave the territory of the requesting Contracting Party before the end of one month after the end of the criminal proceedings, and in the case of conviction - until the end of one month after serving the sentence or release from it, or if he returns there voluntarily. This term does not include the time during which the extradited person could not leave the territory of the requesting Contracting Party through no fault of his own.

Article 67 **Transfer of extradited person**

The requested Contracting Party informs the requesting Contracting Party about the place and time of issue. If the requesting Contracting Party does not accept the person to be extradited within 15 days of the set date of surrender, the person shall be released from custody.

Article 68 **Re-issuance**

If the extradited person evades criminal liability or serving a sentence and returns to the territory of the requested Contracting Party, then upon a new request he must be extradited without providing the materials referred to in Articles 58 and 59 .

Article 69 **Notification of the results of proceedings in a criminal case**

The Contracting Parties shall notify each other of the results of the proceedings in the criminal case against the person extradited to them. A copy of the final decision is also sent upon request.

Article 70 **Transit transportation**

1. At the request of the other Contracting Party, the Contracting Party allows the transit through its territory of persons extradited to the other Contracting Party by a third state.

2. The request for authorization of such transportation is considered in the same manner as the request for extradition.

3. The requested Contracting Party allows transit transportation in the way it considers most appropriate.

Article 71 **Costs related to issuance and transit transportation**

Costs related to extradition shall be borne by the Contracting Party in whose territory they occurred, and costs related to transit transportation shall be borne by the Contracting Party requesting such transportation.

Part II. Criminal prosecution

Article 72 **Obligation to carry out criminal prosecution**

1. Each Contracting Party undertakes, on behalf of the other Contracting Party, to carry out criminal prosecution in accordance with its legislation against its own citizens suspected of having committed a crime on the territory of the requesting Contracting Party.

2. If the crime, in connection with which the case is initiated, entails civil legal claims of persons who have been harmed by the crime, these claims, if there is a request from them for compensation of damage, are considered in this case.

Article 73 **Order on criminal prosecution**

1. The mandate to carry out criminal prosecution must contain:

- a) name of the requesting institution;
- b) a description of the act, in connection with which an order for prosecution was sent;
- c) it is possible to specify the time and place of the act more precisely;

d) the text of the provision of the law of the requesting Contracting Party, on the basis of which the act is recognized as a crime, as well as the text of other legislative norms that are of significant importance for the proceedings in the case;

e) surname and first name of the suspect, his citizenship, as well as other information about the person;

f) statements of victims in criminal cases initiated at the request of the victim, and statements about compensation for damage;

g) indication of the amount of damage caused by the crime.

Materials of criminal prosecution available at the disposal of the requesting Contracting Party, as well as evidence, are attached to the mandate.

2. When a criminal case initiated by the requesting Contracting Party is referred, the investigation in this case is continued by the requested Contracting Party in accordance with its legislation. Each document in the file must be certified by the stamp of the competent institution of justice of the requesting Contracting Party.

3. The mandate and the documents attached to it are drawn up in accordance with the provisions of Article 18 .

4. If the accused is detained in the territory of the requesting Contracting Party at the time of sending the warrant for prosecution, he shall be delivered to the territory of the requested Contracting Party.

Article 74

Notification of the results of criminal prosecution

The requested Contracting Party is obliged to inform the requesting Contracting Party about the final decision. At the request of the requesting Contracting Party, a copy of the final decision is provided.

Article 75

Consequences of making a decision

If, in accordance with Article 72, the Contracting Party has been instructed to carry out criminal prosecution after the judgment has entered into force or another final decision has been adopted by the institution of the requested Contracting Party, the criminal case may not be initiated by the institutions of the requesting Contracting Party, and the case initiated by them shall be terminated.

Article 76

Mitigating or aggravating circumstances

Each of the Contracting Parties, when investigating crimes and considering criminal cases by courts, takes into account mitigating and aggravating circumstances provided for by the legislation of the Contracting Parties, regardless of the territory of which Contracting Party they arose.

Article 77

Procedure for consideration of cases subject to the courts of two or more Contracting Parties

When one person or a group of persons is accused of committing several crimes, the cases of which are subject to the jurisdiction of the courts of two or more Contracting Parties, the court of the Contracting Party on whose territory the preliminary investigation has been completed is competent to consider them. In this case, the case is considered according to the rules of judicial procedure of this Contracting Party.

Part III. Special provisions on legal aid in criminal cases

Article 78

Transfer of objects

1. The Contracting Parties undertake, upon request, to transfer to each other:
- a) items that were used in the commission of an extraditable crime in accordance with this Convention, including instruments of crime; objects that were acquired as a result of a crime or as a reward for it, or objects that the criminal received instead of objects acquired in this way;

b) items that may be of evidence value in a criminal case; these items are transferred even if the extradition of the criminal cannot be carried out due to his death, escape or other circumstances.
2. If the items specified in paragraph 1 of this article are needed by the requested Contracting Party as evidence in a criminal case, their transfer may be delayed until the end of the proceedings.
3. The rights of third parties to the transferred items remain in force. After the end of the proceedings in the case, these items must be returned free of charge to the Contracting Party that transferred them.

Article 79

Notification of convictions and information on convictions

1. Each of the Contracting Parties will annually notify the other Contracting Parties of information about final convictions passed by its courts against the citizens of the respective Contracting Party, simultaneously forwarding available fingerprints of the convicted.
2. Each of the Contracting Parties shall provide the other Contracting Parties free of charge at their request with information on the criminal records of persons previously convicted by its courts, if these persons are held criminally liable on the territory of the requesting Contracting Party.

Article 80

Procedure for communication on issues of extradition and criminal prosecution

Communication on issues of extradition, criminal prosecution, as well as the execution of investigative orders that affect the rights of citizens and require the sanctions of the prosecutor, are carried out by the general prosecutors (prosecutors) of the Contracting Parties.

SECTION V. FINAL PROVISIONS

Article 81

Matters of application of this Convention

Issues arising from the application of this Convention shall be resolved by the competent authorities of the Contracting Parties by mutual agreement.

Article 82

Correlation of the Convention with international treaties

This Convention does not affect the provisions of other international treaties to which the Contracting Parties are parties.

Article 83

Procedure for entry into force

1. This Convention is subject to ratification by the states that have signed it. Ratification instruments are deposited with the Government of the Republic of Belarus, which acts as the depositary of this Convention.
2. This Convention enters into force on the thirtieth day, counting from the date of deposit with the depositary of the third instrument of ratification. For a state whose instrument of ratification will be deposited with the depositary after the entry into force of this Convention, it shall enter into force

on the thirtieth day, counting from the date of deposit with the depositary of its instrument of ratification.

Article 84
Term of validity of the Convention

1. This Convention is valid for five years from the date of its entry into force. After the expiration of this term, the Convention is automatically renewed each time for a new five-year period.
2. Each Contracting Party may withdraw from this Convention by sending a written notification of this to the depositary 12 months before the end of the current five-year term of its validity.

Article 85
Action in time

The effect of this Convention also extends to legal relations that arose before it entered into force.

Article 86
Procedure for joining the Convention

After its entry into force, other states may accede to this Convention with the consent of all Contracting Parties by transferring documents on such accession to the depositary. The accession shall be deemed to have entered into force after the expiration of thirty days from the date of receipt by the depositary of the last notification of consent to such accession.

Article 87
Duty of the depositary

The depositary will promptly notify all signatories to this Convention and acceding States of the date of deposit of each instrument of ratification or accession, the date of entry into force of the Convention, and of the receipt by it of other communications.

Done in Minsk on January 22, 1993 in one original copy in Russian. The original copy is kept in the Archives of the Government of the Republic of Belarus, which will send a certified copy to the member states of this Convention.

For the Republic of Armenia

For the Russian Federation

L. Ter-Petrosyan

B. Yeltsin

For the Republic of Belarus,
the Head of the Verkhovna Rada

For the Republic of Tajikistan

S. Shushkevich

E. Rakhmonov

For the Republic of Kazakhstan

For Turkmenistan

N. Nazarbaev

S. Niyazov

For the Republic of Kyrgyzstan

For the Republic of Uzbekistan

A. Akaev

I. Karimov

For the Republic of Moldova

For Ukraine

M. Snegur

L. Kravchuk

according to Article 86

RESERVATIONS of Ukraine

1. Ukraine undertakes to provide legal assistance to the extent provided for in Article 6 of the Convention, with the exception of the recognition and execution of writs of execution.
2. Ukraine undertakes to recognize and implement the decisions made in the territories of the countries participating in the Convention, which are provided for in paragraph "a" of Article 51 of the Convention, with the exception of notarial acts relating to monetary obligations.



Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters
Convention; CIS dated January 22, 1993
Termination of effect dated **December 29, 2023** , basis — [2783-IX](#)
Permanent address:
https://zakon.rada.gov.ua/go/997_009

The legislation of Ukraine is suspended
as of November 6, 2024



Documents and files

- Signal document — f21880n342.pdf from 27.12.22 16:05, 1.24 Mb

Publications of the document

- **Official Gazette of Ukraine** from 03.01.2023 — 2023, No. 1, / No. 44; 11/16/2005; page 328 /, p. 12, article 1, act code 115595/2022